

**VOTING RECORD**  
**BOARD OF COUNTY COMMISSIONERS' MEETING**  
**THURSDAY, APRIL 3, 2014**  
**9:30 A.M.**

The following information is an unofficial record of the  
Frederick County Board of County Commissioners open meeting votes.

*(Official minutes of the Board of County Commissioners' meetings are kept on file in the County Manager's Office; the meetings are also video recorded. Approved minutes can be accessed at [www.FrederickCountyMD.gov/minutes](http://www.FrederickCountyMD.gov/minutes) and video of the meeting can be accessed at [www.FrederickCountyMD.gov](http://www.FrederickCountyMD.gov).)*

**CONSENT AGENDA**

The following items were considered on the consent agenda:

- Purchasing Memo #14-107 – Bioxide Deliveries to Various Utilities and Solid Waste Management Division Locations (Contract Renewal)
- Purchasing Memo #14-132 – Electrical Maintenance Services (Contract Renewal)
- Purchasing Memo #14-133 – Chemical Root Control (Piggyback Contract)
- Purchasing Memo #14-136 - Mowing Services: Parks and Recreation, Highways, Citizens Care and Rehabilitation Center / Montevue Assisted Living
- Purchasing Memo #14-139 – Food Products (Piggyback Contract)
- Purchasing Memo #14-141 – Roadway Markings Services
- Purchasing Memo #14-142 – Transit Vehicle Advertising Services
- Purchasing Memo #14-145 – Purchase and Retrofit Two (2) Ford Vehicles (Piggyback Contract)
- BT-14-144, Housing and Community Development, Citizens Services Division
- BT-14-145, Child Advocacy Center, Citizens Services Division
- BT-14-146, Department of Aging, Citizens Services Division
- Declaration to Establish and Retain Easements for the Ballenger Creek Park Turf Field
- Emergency Number Systems Board Grant Funding
- Application for State Funding from Mediation and Conflict Resolution Office (MACRO)
- One-time Supplemental Discretionary Grant for the Frederick County Infants and Toddlers Program and Budget Transfer
- Simplified and Secure E-Discovery and Budget Transfer

- Board of Education Nonrecurring Costs Exclusion

The following item was removed from the consent agenda:

- Purchasing Memo #14-142 – Transit Vehicle Advertising Services

*Motion to approve the consent agenda as amended – Passed 5-0.*

| COMMISSIONERS | MOTION | SECOND | YES | NO | ABSTAIN | NOT PRESENT |
|---------------|--------|--------|-----|----|---------|-------------|
| Young         |        |        | X   |    |         |             |
| Smith         | X      | X      | X   |    |         |             |
| Shreve        |        | X      | X   |    |         |             |
| Gray          |        |        | X   |    |         |             |
| Delauter      |        |        | X   |    |         |             |

### **Purchasing Memo #14-142 – Transit Vehicle Advertising Services**

*Motion to approve Purchasing Memo #14-142 as presented – Passed 4-0.*

| COMMISSIONERS | MOTION | SECOND | YES | NO | ABSTAIN | NOT PRESENT |
|---------------|--------|--------|-----|----|---------|-------------|
| Young         |        |        |     |    |         | X           |
| Smith         |        | X      | X   |    |         |             |
| Shreve        | X      |        | X   |    |         |             |
| Gray          |        |        | X   |    |         |             |
| Delauter      |        |        | X   |    |         |             |

### **WORKSESSION**

#### **Presentation of the Frederick County Employees Retirement Plan Actuarial Valuation as of July 1, 2013 – Tracy Lobuts, Human Resources Division; Colin England, FSA, EA and Tom Lowman, FSA, EA, Bolton Partners, Inc.**

*No action was taken as this item was informational.*

### **ADMINISTRATIVE BUSINESS**

#### **Bid Awards – Diane George, Finance Division**

Purchasing Memo #14-119 – Police Patrol Vehicles and Budget Transfer

Purchasing Memo #14-131 – Police Interceptor Utility Vehicles and Budget Transfer

Purchasing Memo #14-143 – Computer Aided Dispatch System Administration Services (Sole Source)

*Motion to approve Purchasing Memos #14-119, #14-131 and #14-143 as presented – Passed 5-0.*

| COMMISSIONERS | MOTION | SECOND | YES | NO | ABSTAIN | NOT PRESENT |
|---------------|--------|--------|-----|----|---------|-------------|
| Young         |        |        | X   |    |         |             |
| Smith         | X      |        | X   |    |         |             |
| Shreve        |        |        | X   |    |         |             |
| Gray          |        |        | X   |    |         |             |
| Delauter      |        | X      | X   |    |         |             |

**County Budget Transfers – Regina Howell, Budget Office, Office of the County Manager**

BT-14-147 – Highway and Facility Maintenance, Public Works Division

BT-14-148 – Highway and Facility Maintenance, Public Works Division

BT-14-149 – Finance and Administration, Fire and Rescue Services Division

*Motion to approve BT-14-147, BT-14-148 and BT-14-149, as presented – Passed 5-0.*

| COMMISSIONERS | MOTION | SECOND | YES | NO | ABSTAIN | NOT PRESENT |
|---------------|--------|--------|-----|----|---------|-------------|
| Young         |        | X      | X   |    |         |             |
| Smith         | X      |        | X   |    |         |             |
| Shreve        |        |        | X   |    |         |             |
| Gray          |        |        | X   |    |         |             |
| Delauter      |        |        | X   |    |         |             |

**FY 2015 Water and Sewer Rate Increase – Kevin Demosky, Utilities and Solid Waste Management Division**

*No action was taken. The FY 2015 rate increase would take effect on July 1, 2014, as programmed.*

**Approval of License Agreement with Winchester Homes, Inc. – Gary Hessong, Community Development Division and Kathy Mitchell, Office of the County Attorney**

*Motion to approve the license agreement as presented – Passed 4-0.*

| COMMISSIONERS | MOTION | SECOND | YES | NO | ABSTAIN | NOT PRESENT |
|---------------|--------|--------|-----|----|---------|-------------|
| Young         |        |        | X   |    |         |             |
| Smith         | X      |        | X   |    |         |             |
| Shreve        |        |        | X   |    |         |             |
| Gray          |        |        |     |    |         | X           |
| Delauter      |        | X      | X   |    |         |             |

**Approval of Memorandum of Understanding Between the Board of County Commissioners and the Frederick County Forest Conservancy District Board – Gary Hessong, Community Development Division**

*Motion to approve the MOU as presented – Passed 4-0.*

| COMMISSIONERS | MOTION | SECOND | YES | NO | ABSTAIN | NOT PRESENT |
|---------------|--------|--------|-----|----|---------|-------------|
| Young         |        |        | X   |    |         |             |
| Smith         | X      |        | X   |    |         |             |
| Shreve        |        |        | X   |    |         |             |
| Gray          |        |        |     |    |         | X           |
| Delauter      |        | X      | X   |    |         |             |

**Development Rights and Responsibilities Agreement (DRRA) – Rayburn Property – Jim Gugel, Community Development Division**

*Motion to accept the petition to enter into a DRRA as presented and initiate the public hearing process – Passed 4-0.*

| COMMISSIONERS | MOTION | SECOND | YES | NO | ABSTAIN | NOT PRESENT |
|---------------|--------|--------|-----|----|---------|-------------|
| Young         |        |        | X   |    |         |             |
| Smith         | X      |        | X   |    |         |             |
| Shreve        |        |        | X   |    |         |             |
| Gray          |        |        |     |    |         | X           |
| Delauter      |        | X      | X   |    |         |             |

**Development Rights and Responsibilities Agreement – Ratley Property – Jim Gugel, Community Development Division**

*Motion to accept the petition to enter into a DRRA as presented and initiate the public hearing process – Passed 4-0.*

| COMMISSIONERS | MOTION | SECOND | YES | NO | ABSTAIN | NOT PRESENT |
|---------------|--------|--------|-----|----|---------|-------------|
| Young         |        |        | X   |    |         |             |
| Smith         | X      |        | X   |    |         |             |
| Shreve        |        |        | X   |    |         |             |
| Gray          |        |        |     |    |         | X           |
| Delauter      |        | X      | X   |    |         |             |

**Town of New Market Annexation – Delaplaine Property – Jim Gugel, Community Development Division**

*Motion to find the allowable land use and density between the Town of New Market's Economic Development Flex (EDF) zone and the county's Agricultural zone are substantially different and to grant the express approval for development of the subject property to proceed within five years of the effective date of municipal annexation – Passed 3-0-1.*

| COMMISSIONERS | MOTION | SECOND | YES | NO | ABSTAIN | NOT PRESENT |
|---------------|--------|--------|-----|----|---------|-------------|
| Young         |        | X      | X   |    |         |             |
| Smith         |        |        |     |    | X       |             |
| Shreve        | X      |        | X   |    |         |             |
| Gray          |        |        |     |    |         | X           |
| Delauter      |        |        | X   |    |         |             |

**Town of New Market Annexation – Smith-Cline Property – Jim Gugel, Community Development Division**

*Motion to find the allowable land use and density between the Town of New Market's R-2 zone and the county's Agricultural zone are substantially different and to grant the express approval for development of the subject properties to proceed within five years of the effective date of municipal annexation – Passed 4-0.*

| COMMISSIONERS | MOTION | SECOND | YES | NO | ABSTAIN | NOT PRESENT |
|---------------|--------|--------|-----|----|---------|-------------|
| Young         |        | X      | X   |    |         |             |
| Smith         |        |        | X   |    |         |             |
| Shreve        | X      |        | X   |    |         |             |
| Gray          |        |        |     |    |         | X           |
| Delauter      |        |        | X   |    |         |             |

**Presentation of the FY 2015 Recommended Operating Budget – Regina Howell, Budget Office, Office of the County Manager**

*No action was taken as this item was informational.*

**Enrichment of County Senior Property Tax Credit – Diane Fox, Finance Division**

*Motion to decouple the current senior property tax credit from the county supplement and to increase the income level to \$70,000 – Passed 3-1.*

| COMMISSIONERS | MOTION | SECOND | YES | NO | ABSTAIN | NOT PRESENT |
|---------------|--------|--------|-----|----|---------|-------------|
| Young         |        |        | X   |    |         |             |
| Smith         |        |        |     | X  |         |             |
| Shreve        | X      |        | X   |    |         |             |
| Gray          |        |        |     |    |         | X           |
| Delauter      |        | X      | X   |    |         |             |

**Updates from County Commissioners' Liaison – Dave Dunn, Community Development Division**

*No action was taken as this item was informational.*

**Legislative Issues – John Mathias, Office of the County Attorney and Ragen Cherney, Office of the County Manager**

*No action was taken as this item was informational.*

**CLOSED SESSION**

Maryland Annotated Code State Government Article § 10-508(a) (7) To consult with counsel to obtain legal advice on a legal matter; and (8) To consult with staff, consultants, or other individuals about pending or potential litigation.

Topic – To discuss with county staff, including the County Attorney, the settlement of a matter in an effort to avoid litigation.

*Motion to go into closed session – Passed 4-0.*

| COMMISSIONERS | MOTION | SECOND | YES | NO | ABSTAIN | NOT PRESENT |
|---------------|--------|--------|-----|----|---------|-------------|
| Young         |        |        | X   |    |         |             |
| Smith         | X      |        | X   |    |         |             |
| Shreve        |        | X      | X   |    |         |             |
| Gray          |        |        |     |    |         | X           |
| Delauter      |        |        | X   |    |         |             |

*For more information, please contact Patti Morrow at 301-600-6083 or [pmorrow@FrederickCountyMD.gov](mailto:pmorrow@FrederickCountyMD.gov).*